

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States v. Rukshan J. Abeyratne

Criminal Complaint

Case No: 323MJ5102

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

1. Your Affiant is Special Agent Mariaha Washington, U.S. Secret Service, hereinafter referred to as your “Affiant,” who after being duly sworn states:

2. I am currently employed as a Special Agent with the United States Secret Service (USSS) in Toledo, Ohio and I have worked with this agency for over 3 years. Prior to Toledo, I was employed with the Detroit Police Department for approximately two years. I completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center, Glynco, Georgia, and the U.S. Secret Service Special Agent Training Course in Beltsville, Maryland, where my studies included several investigative courses specifically dealing with electronic crimes. Title 18, United States Code, Section 3056 authorizes the United States Secret Service to assist state and local law enforcement in cases involving exploited children. As such, I have participated in criminal investigations involving the exploitation of children using computers and the internet.

3. I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents and evidence, and conversations I have had with other law enforcement agents and other individuals. Because this affidavit is submitted for the limited purpose of establishing probable cause, I have not included herein the details of every aspect of the investigation. Where actions, conversations and

statements of others are related herein, they are related in substance and in part, except where otherwise indicated.

4. I make this affidavit in support of a criminal complaint for Rukshan Abeyratne, who currently resides at 2650 Whiteway Rd. Apt 5, Toledo, OH which is in the Northern District of Ohio, Western Division. Probably cause exists to believe that Abeyratne has violated Title 18, United States Code, Section 2252(a)(2), which states that it is a federal crime to receive and distribute child pornography.

5. On October 18, 2022, U.S. Secret Service Task Force Officer (TFO) Justin Craig observed a computer running P2P investigative software. TFO Craig identified I.P. address: 72.240.205.143. as containing Child Sexual Abusive Material (CSAM). Utilizing the P2P investigative software, TFO Craig also indicated that the I.P. address: 72.240.205.143 downloaded "Child Exploitation Material". TFO Craig flagged I.P. address 72.240.205.143 so that a future connection could be made.

6. On November 24, 2022, using a computer utilizing P2P Investigative software, TFO Craig direct connected to the device at IP address: 72.240.205.143. He downloaded the following file the device at IP address: 72.240.205.143 was making available:

7. Date: 2022/11/24 17:42:00 (GMT-08:00): :TRANSFER COMPLETE.
JobId=3973181, HASH=ed2k:ec2cb7b3b89e48e005dd7c45bd35fc38, FileName="PEDOMOM-05.mp4", size=7508862. A review of the file revealed a video of an adult female performing oral sex on a sleeping boy approximately 4 to 5 years old.

8. 7. On December 7, 2022, TFO Craig utilized his P2P investigative software to direct connected to the device at IP address: 72.240.205.143. He downloaded the following file the device at IP address: 72.240.205.143 was making available:

- a. Date: 12:50:35 (GMT-08:00): :TRANSFER COMPLETE. JobId=3973181, HASH=ed2k:10ae73d2a793f506f098c790fc92b8f3, FileName="(pthc) 2010 Russian 11yo prostitute - ALD 00964.wmv", size=4837704. A review of the file revealed a video of a female under eighteen (18) years of age performing oral sex.

9. On December 8, 2022, while utilizing P2P, TFO Craig direct connected to the device at IP address: 72.240.205.143. TFO Craig downloaded the following file the device at IP address: 72.240.205.143 was making available:

- a. Date: 2022/12/08 14:09:32 (GMT-08:00): :TRANSFER COMPLETE. JobId=3973181, HASH=ed2k:c7ed6daede9323fd37d295a517a9b1f3, FileName="(pthc) 2010 Russian 11yo prostitute - ALD 00862.wmv", size=8029776. A review of the file revealed a video where a female under the age of eighteen (18) is laying on her stomach while using a cellular phone. A male subject penetrates her vagina from behind with his penis and performs intercourse.

10. On December 14, 2022, TFO Craig utilized his P2P Investigative software and identified that the IP address: 72.240.205.143 belonged to Buckeye Cablevision. A Grand Jury subpoena was requested through Lucas County Court of Common Pleas court to identify the account holder information for the IP address: 72.240.205.143 for the dates of the downloads.

11. Continuing the same day TFO Craig checked the amount of notable files (CSAM) associated with IP address 72.240.205.143. He found 124 notable files.

12. On December 15, 2022, TFO Craig obtained a Grand Jury subpoena from Lucas County Court of Common Pleas to identify the account holder information for IP address: 72.240.205.143 for the dates of November 24, 2022 through December 7, 2022. Continuing the

same day, the subpoena was served on Buckeye Cablevision TFO Craig requested a work-up for the suspect and to identify any prior sex offenses.

13. December 20, 2022, TFO Craig obtained the subpoena results from Buckeye Cable. The subpoena results revealed the IP address belongs to the following:

a. Amendra Liyanarachchi, 2650 Whiteway Rd. Apt. 5 Toledo, OH 43606

14. Liyanarachchi is currently a Doctorate student at the University of Toledo, and due to graduate December 2023.

15. Continuing the same day TFO Craig contacted the Ohio State Highway Patrol Intelligence Division (OSP Intel) to identify the male spouse of the IP Address account holder.

16. On December 21, 2022, OSP Intel identified the male spouse of Liyanarachchi as:

a. Rukshan Janaka Abeyratne, DOB: 02/15/1988

17. TFO Craig listed Abeyratne as a suspect, and subsequently turned the case file over to me.

18. On January 20, 2023, I conducted a law enforcement database check on Abeyratne. I found that Abeyratne did not have a social security number assigned to him.

19. Continuing the same day, I made contact with Customs and Border Protection to do a check on Abeyratne's citizen status. I was informed that Abeyratne was on a f2 visa, meaning his spouse is a current student in the United States, and he is the spouse. Abeyratne is a citizen of India and has been in the US since November 2020.

20. On January 27, 2023, TFO Craig informed me that IP Address 72.240.205.143 was no longer sharing videos with him, but he did receive downloads from a new IP Address: 72.240.75.220. TFO Craig informed me that the downloads he received from IP Address 72.240.75.220 were the same videos shared from IP Address 72.240.205.143.

21. Continuing the same day, TFO Craig informed me that on January 26, 2023, he obtained a Grand Jury subpoena from Lucas County Court of Common Pleas to identify the account holder information for IP Address 72.240.75.220.

22. Continuing the same day, TFO Craig served the subpoena to Buckeye Cablevision. TFO Craig received a subpoena reply on January 27, 2023. The subscriber information for IP Address 72.240.75.220 for the dates of December 13, 2022, through January 27, 2023 was:

- a. Amendra Liyanarachchi, 2650 Whiteway Rd. Apt. 5, Toledo, OH 43606

23. On February 10, 2023, I conducted surveillance at 2650 Whiteway Rd, Toledo, OH 43632. During this surveillance, I conducted a Wi-Fi check and noted that there are no open Wi-Fi connections in the immediate area of the above address. The residence is a multiple family apartment building with approximately six to eight units. There is a parking port in the rear of the residence with approximately four parking spots.

24. On February 13, 2023, TFO Craig informed me that IP Address 72.240.75.220 shared two more CSAM videos with him on the P2P Investigative Software. The following files were shared and made available for download:

- a. 2023/02/08 23:27:11 (GMT-08:00): :TRANSFER COMPLETE. JobId=4049478, HASH=ed2k : 471a1f583354d1cf8b5a818e38ead6ee, FileName="!!! New Pthc – 12Yo Evelyn 2010 – Part 2 And 3 – Airvideo Xvid (2020_02_12 21_25_59 UTC) .avi", size=14391002 2023/02/08 23:56:120 (GMT -08:00): :ED2K client on 72.

25. On February 16, 2023, TFO Craig informed me that IP Address 72.240.75.220 had the following partially downloaded CSAM video:

- a. 2023/02/13 16:09:49 (GMT -08:00): :download transfer started.

JobId=72.240.75.220, HASH=ed2k:437fa29e6f405d0eb4906f5c3d1ecff0,
FileName="Ultra Cute – Youtube Girl – Two Lesbian Girls 9Yo And 10 Yo
Kissing_ Fingering And Licking.Lesbian(Pthc) 2007.avi", size=23308238,
port=42584

26. Continuing on February 16, 2023, I conducted surveillance at 2650 Whiteway Rd, Toledo, OH 43632. During this surveillance, I observed no change outside of the residence.

27. February 21, 2023, I conducted surveillance at 2650 Whiteway Rd, Toledo, OH. During this surveillance, there was no change outside of the residence.

28. Continuing on this day, I conducted a Law Enforcement database check on the address of 2650 Whiteway Rd, Toledo, OH. A result of this database check shows Amendra J Liyanarachchi as a resident of Apartment number 5.

29. Continuing on this date, TFO Craig informed me that IP Address 72.240.75.220 downloaded the following CSAM video on 02/17/2023:

- a. Filename: Dad Daughter 12yo Cum Inside _____LoliFuck.avi

30. This video was 8 minutes and 39 seconds in length. The video shows a pre-pubescent female approximate age 7-9 years old laying nude on a bed. An adult male begins touching her vagina with his hand and proceeds to perform oral sex on her. The same adult male then begins engaging in vaginal intercourse with the pre-pubescent female.

31. On February 28, 2023, I obtained a Grand Jury from Lucas County Common Pleas to identify the account holder information for IP Address 72.240.75.220.

32. Continuing on this day, I served the subpoena to Buckeye Cablevision. I received a reply from Buckeye Cablevision on March 1, 2023. The subscriber information for IP Address 72.240.75.220 for the dates of January 27, 2023 through February 27, 2023 was:

a. Amendra Liyanarachchi, 2650 Whiteway Rd. Apt. 5, Toledo, OH 43606

33. On March 15, 2023, U.S. Magistrate Judge Clay Chambers granted a federal search warrant for Abeyratne residence at 2650 Whiteway Rd., Apt 5, Toledo, OH 43606.

34. On March 16, 2023, agents of the United States Secret Service, officers from the Toledo Police Department, and an Agent with Customs and Border Patrol executed the search warrant on 2650 Whiteway Rd. Apt. 5, Toledo, OH. Rukshan Abeyratne and his wife Amendra Liyanarachchi were the only two people at the residence during the warrant.

35. United States Secret Service Agent Steve Snyder and I interviewed Rukshan Abeyratne. I read Abeyratne his Miranda rights in which he verbally said that he understood. I explained to Abeyratne that at the moment, he was not under arrest, and proceeded to explain the scope of the US Secret Service investigation. While explaining the scope of the USSS investigations, once I mentioned child pornography, Abeyratne appeared to slouch into the couch and his facial expression changed. Abeyratne admitted that he knows we are there for the child pornography and began to explain that “he has seen some child pornography”. Abeyratne explained that he has downloaded child pornography and has been doing it for maybe a month or two. Abeyratne additionally admitted that he uses the E-Mule platform to download and view the child pornography. The entire interview with Abeyratne was reordered via digital recorder as well as body cam provided by TFO Craig.

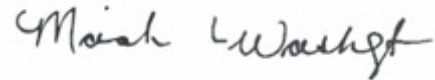
36. While interviewing Abeyratne, Liyanarachchi expressed the desire of wanting to return to their home country of Sri Lanka. Liyanarachchi asked if they could leave and go home.

37. Customs and Border Patrol Agent David Edgell informed Abeyratne of the legal process and that at this moment, he may not be permitted to leave the country, but that decision would be up to the Immigration Judge.

38. Agent Edgell informed me that he checked the status of Abeyratne's Visa, and his Law Enforcement database check shows that his own Student Visa expired March 15, 2023. Abeyratne's F2 Visa under his wife Amendra Liyanarachchi which permits him to remain in the United States while his wife is a student, expires in June 2023.

39. Additionally, on March 16, 2023, TFO Craig check the P2P investigative software and found that there were approximately eight CSAM downloads from IP address 72.240.75.220 on the night of March 15, 2023.

40. All of the above causes me to believe that there is probable cause Rukshan Abeyratne has violated Title 18 U.S.C. 2252(a)(2). The information contained in this Affidavit is true and correct to the best of my knowledge and belief.



Special Agent Mariaha Washington
United States Secret Service

Sworn to via telephone on this 17th day of March, 2023
after submission by reliable electronic means.
Fed.R.Crim.P. 4.1 and 41(d)(3).



HONORABLE DARRELL A. CLAY
UNITED STATES DISTRICT COURT JUDGE